W,761



PATENT APPLICATION

CERTIFICATE OF MAILING/FACSIMILE TRANSMISSION (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being transmitted therewith) is (XXX) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box. 1450, Alexandria, Virginia 22313-1450 or () being transmitted by facsimile to the U.S. Patent and Trademark Office. (Fax No. 571 273 8300) (pages). This facsimile is being sent from (908) 429-3650.

Maria T. Sanchez (Print Name)

Date: August 25, 2005

(Signature)

DOCKET NO. 2002DE422

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Uwe FALK et al.

Art Unit: 1761

Serial No. 10/518,315, filed December 16, 2004

Examiner: To be assigned

For: USE OF COLLOIDAL ANIONIC SILICA SOLS AS CLARIFYING AGENTS

INFORMATION DISCLOSURE STATEMENT

August 25, 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

In accordance with the duty of disclosure provisions of 37 CFR §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the subject application.

o,							
1. 1	Enclosures accompanying this Information Disclosure Statement are:						
	1a. ⊠ Form PTO-1449.						
	1b.	\boxtimes	The following documents are enclosed:				
			US 3,617,301 US 3,878,300 US 4,027,046 DE 24 08 896 DE 32 31 240 DE 197 07 332 DE 1 642 769 DE 2 133 906 DE 30 15 439				
	1c.	\boxtimes	An English language copy of search report(s) from a counterpart foreign application or a PCT International Search Report.				
			 Notification of Transmittal of Copies of Translation of the International Preliminary Examination Report and International Preliminary Examination Report Translation for PCT/JP2003/006264. 				
			Applicants note that DE 24 08 896 was the only document cited in the International Preliminary Examination Report and is equivalent to US 4,027,046, as noted on the International Search Report, submitted with applicants' application papers.				
	1d.		English language translation (complete or relevant portion(s)) attached to each non-English language publication.				
	1e.		Explanations of Relevancy of References (ATTACHMENT 1(d), hereto) for providing a concise explanation of each non-English publication.				

1f. List of related applications:

2.		1g	. Ц	EPO :	Search Report
after the first Office Action on the merits, but before a Final Office Action or a Notice of Allowance. 3a.	before first C	the la	tter of	three	months after the U.S. patent application filing date or the
Accordingly, no fee is required. 3b.	after tl		Office	nforma Action	tion Disclosure Statement is filed under 37 CFR §1.97(c) on the merits, but before a Final Office Action or a Notice
accordance with 37 CFR §1.97(c) is to be charged to Deposit Account No. 50-3309. 4.			3a.		
after the Final Office Action or the Notice of Allowance, but before payment of the Issue Fee. The §1.97(e) Statement (Item 5 below) is applicable. A Petition to the Commissioner is hereby made under 37 CFR §1.97(d) to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 CFR §1.17(i) is to be charged to Deposit Account No. 50-3309. Statement Under §1.97(e) (applicable if Item 3a or Item 4 is checked) 5a.			3 b.		accordance with 37 CFR §1.97(c) is to be charged to
A Petition to the Commissioner is hereby made under 37 CFR §1.97(d) to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 CFR §1.17(i) is to be charged to Deposit Account No. 50-3309. 5. Statement Under §1.97(e) (applicable if Item 3a or Item 4 is checked) 5a. In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 5b. In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of	4.		after 1	the Fir	al Office Action or the Notice of Allowance, but before
to request consideration of this Information Disclosure Statement. The \$180.00 fee set forth in 37 CFR §1.17(i) is to be charged to Deposit Account No. 50-3309. 5. Statement Under §1.97(e) (applicable if Item 3a or Item 4 is checked) 5a. In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 5b. In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of				The §	1.97(e) Statement (Item 5 below) is applicable.
 5a. In accordance with 37 CFR §1.97(e)(1), it is stated that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 5b. In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of 			to req \$180.0	uest co 00 fee	onsideration of this Information Disclosure Statement. The set forth in 37 CFR §1.17(i) is to be charged to Deposit
each item of information contained in this information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 5b. In accordance with 37 CFR §1.97(e)(2), it is stated that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of	5.		Stater	ment U	nder §1.97(e) (applicable if Item 3a or Item 4 is checked)
no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of			5a.	Stater paten three	item of information contained in this information Disclosure ment was first cited in a communication from a foreign t office in a counterpart foreign application not more than months prior to the filing of this Information Disclosure
			5b.	Stater office of the	m of information contained in this information Disclosure ment was cited in a communication from a foreign patent in a counterpart foreign application and, to the knowledge undersigned after making reasonable inquiry, no item of

		three	was known by any individual designated in $\S 1.56(c)$ more than three months prior to the filing of this Information Disclosure Statement.					
6.			ontinuation/divisional/continuation-in-part application under 153(b). (Check appropriate Items 6a and/or 6b.)					
	6a.		Copies of the publications listed on Form PTO-1449 from prior Application Serial No. /, filed on, of which this application claims priority under 35 USC §120 have been omitted pursuant to 37 CFR §1.98(d).					
	6b.		Copies of the publications listed on Form PTO-1449 which were not previously cited in prior Application Serial No. /, filed on, of which this application claims priority under 35 USC §120, are provided herewith.					
	6c.		Copies of the following publications listed on Form PTO- 1449 are not provided herewith as they were previously submitted either through an earlier Information Disclosure Statement or were cited on the International Search Report:					
7.		is a continuation/divisional application under 37 CFR §1.5 ck either Item 7a or 7b.)						
	7a.		The Issue Fee has not been paid.					
	7b.		A Petition to Withdraw from Issue under 37 CFR §1.313(b)(5) has been granted. A continuation application under 37 CFR §1.53(d) after payment of the Issue Fee is proper in accordance with 37 CFR §1.53(d)(1)(ii).					
8.			Supplemental Information Disclosure Statement. (Check 3a or 8b.)					
	8a.		This Supplemental Information Disclosure Statement under 37 CFR §1.97(f) supplements the Information Disclosure Statement filed on A bona fide attempt was made to comply with 37 CFR §1.98, but inadvertent omissions were made. These omissions have been corrected herein. Accordingly, additional time is requested so that this Supplemental Information Disclosure Statement can be considered as if properly filed on.					

9.

		8b.		This Supplemental Information Disclosure Statement is timely filed within one (1) month of the Notice under 37 CFR §1.97(i), mailed (MPEP 609, Form ¶ 6.51, July 1997.)				
9.	\boxtimes	In accordance with 37 CFR §1.98, a concise explanation of what is presently understood to be the relevance of each non-English language publication listed is:						
			(Check	appropriate Items 9a, 9b, 9c and/or 9d)				
è-		9a.		satisfied because all non-English language publications were cited on the English language copy of the PCT International Search Report or the search report from a counterpart foreign application indicating the degree of relevance found by the foreign office, which was submitted with applicants' application papers and the receipt of which was acknowledged on the Rule 495 Notice of Acceptance, mailed 08/08/2005. (See U.S. Patent and Trademark Office's authorization in the Federal Register, Vol. 57, No. 12, January 17, 1992, at page 2031 (Reply to Comment 68)).				
		9b.		set forth in the application.				
		9c.		satisfied because an English language translation (complete or relevant portion(s)) is attached to each non- English language publication.				
		9d.		the following equivalent English language publication is enclosed (or identified as a US patent):				
		9e.		abstracts in the English language were previously submitted with Applicants' Information Disclosure Statement dated.				
10.	\boxtimes	No a	dmissic	on is made that the information cited in this Statement is, or				

is considered to be, material to patentability nor a representation that a search has been made (other than search report(s) from a counterpart foreign application or a PCT International Search Report, if submitted

herewith). 37 CFR §§1.97(g) and (h).

 The Commissioner is authorized to credit any overpayment or charge any additional fee required under 37 CFR §1.17 for this Information Disclosure Statement and/or Petition to Deposit Account No. <u>50-3309</u>.

Respectfully submitted,

Attorney for Applicant(s)

Alan P. Kass (Reg. No. 32142)

70 Meister Avenue Somerville, New Jersey 08876 Telephone: (908) 595-3890 Telefax: (908) 429-3650

Customer No. 26,289

CERTIFICATE OF MApplicant(s): Uwe FALI	S MAIL (37 CFR 1.8)	Docket No. 2002DE422							
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Commissioner of Patents and Trademarks, Washington, D.C. 20231-0001 on August 25, 2005 (Date) MARIA T. SANCHEZ (Typed or Printed Name of Person Mailing Correspondence) (Signature of Person Mailing Correspondence)									
. Note: Each paper must have its own certificate of mailing.									

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